



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **DEX-0214**

Inventors: **Macina et al.**

Serial No.: **09/909,567**

Filing Date: **July 20, 2001**

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**NOV 22 2002**

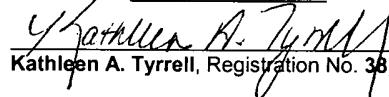
Examiner: **Carolyn L. Smith** **TECH CENTER 1600/2900**

Group Art Unit: **1631**

Title: **Compositions and Methods Relating to  
Lung Specific Genes**

I, Kathleen A. Tyrrell, Registration No. 38,350, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to U.S. Patent and Trademark Office, Box 2327, Arlington, VA 22202.

On this date: November 19, 2002

  
\_\_\_\_\_  
Kathleen A. Tyrrell, Registration No. 38,350

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56 (b).

( ) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into

the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

(xx) In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

(xx) Certification in Accordance with §1.97(e) is attached hereto; or

( ) The fee of \$180.00 as set forth in §1.17(p) is attached.

( ) In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i)(1).

(xx) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

( ) In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified)

are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

The relevance of the listed references in a foreign language is as stated in the specification at pages @@.

All listed references are in the English language.

Respectfully submitted,



Kathleen A. Tyrrell  
Registration No. 38,350

Date: November 19, 2002

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Kathleen A. Tyrrell  
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U.S. Patent and Trademark Office  
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Arlington, VA 22202

Sir:

CERTIFICATION UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

(XX) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application <sup>11/25/2002</sup> ~~11/25/2002~~ <sup>00000001 501619</sup> ~~00000001 501619~~ <sup>09989567</sup> application not more than three months prior to the <sup>01/16/03</sup> ~~01/16/03~~ <sup>180.00 CH</sup> ~~180.00 CH~~ filing of the Information Disclosure Statement.

(XX) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in connection with a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,



Kathleen A. Tyrrell  
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Date: November 19, 2002

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